

REMARKS

Initially, Applicant thanks the Examiner for the courtesies extended during the telephone interview of September 4, 2001.

Claims 1-2, 4-6 and 8-9, following entry of this Amendment, are all the claims pending in the application. Claims 3 and 7 have been canceled.

The Examiner has rejected claims 1-3, 5-7 and 9 under 35 U.S.C. § 103(a) as being unpatentable over Smith et al. (U.S. Patent No. 4,296,069) (hereinafter "Smith") in view of Hamblen et al. (U.S. Patent No. 4,053,381) (hereinafter "Hamblen"). Applicant respectfully traverses the rejection.

Smith fails to teach or suggest Applicant's claimed "detector comprising a bar code reader for detecting the position of the chemical analysis element ...," as now recited in independent claims 1, 5 and 9. Although the Examiner is correct in stating that Smith discloses an optical sensor that detects the position of the transfer means, Smith does not, however, detect the position of the chemical analysis element using a bar code reader. In fact, there is no teaching or suggestion in Smith of using a bar code reader for detecting a position of the transfer means or the position of the chemical analysis element.

Furthermore, Hamblen fails to remedy the above deficiency of Smith. Hence, claims 1, 5 and 9 are patentable over either the individual or the combination of the Smith and Hamblen references, and the rejection of these claims under 35 U.S.C. §103 should be withdrawn.

Dependent claims 2 and 6 are dependent upon at least one of independent claims 1 or 5, and should be allowed for at least the same reasons discussed above with respect to claims 1 and 5.

Amendment under 37 C.F.R. § 1.116
U.S. Appln. No. 09/236,897

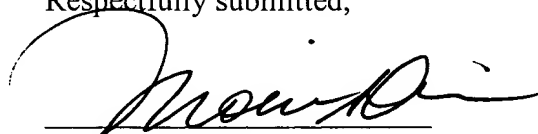
The Examiner has rejected claims 4 and 8 under 35 U.S.C. § 103(a) as being unpatentable over Smith in view of Hamblen, and further in view of Bell et al. (U.S. Patent No. 5,814,277) (hereinafter "Bell"). Applicant respectfully traverses the rejection.

Dependent claims 4 and 8 are dependent upon at least one of independent claims 1 and 5, and should be allowed for at least the same reasons discussed above with respect to claims 1 and 5.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to **call the undersigned** at the telephone number listed below.

Applicant hereby petitions for any extension of time which may be required to maintain the pendency of this case, and any required fee, except for the Issue Fee, for such extension is to be charged to Deposit Account No. 19-4880.

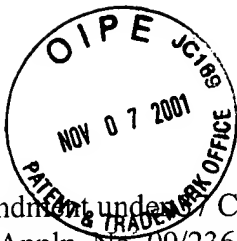
Respectfully submitted,



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Date: November 7, 2001



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APPENDIX

VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE CLAIMS:

Claims 3 and 7 are canceled.

The claims are amended as follows:

1. (Amended) A chemical analysis system comprising
a means for spotting a sample liquid onto a first chemical analysis element for measuring
the concentration of a specific component contained in the sample liquid,
a means for spotting a sample liquid and a reference liquid onto a second chemical
analysis element for measuring the activity of a specific ion contained in the sample liquid,
an incubator in which the first chemical analysis element spotted with the sample liquid
and/or the second chemical analysis element spotted with the sample liquid and the reference
liquid is placed and which holds the first and/or second chemical analysis element at a constant
temperature,
a concentration measuring means which is provided to measure the concentration of the
specific component contained in the sample liquid by measuring the optical density of the color
formed by the coloring reaction of the sample liquid and a reagent on the first chemical analysis
element after incubation in the incubator,
an ionic activity measuring means which is provided to measure the ionic activity of the
specific ion contained in the sample liquid after incubation in the incubator, ~~and~~
a temperature control means which holds the first and/or second chemical analysis
element at a predetermined temperature, and

a detector comprising a bar code reader for detecting the position of the chemical analysis element in which the chemical analysis element is conveyed by reading a bar code provided on each of the chemical analysis element.

5. (Amended) A chemical analysis system comprising

a means for spotting a sample liquid onto a first chemical analysis element for measuring the concentration of a specific component contained in the sample liquid,

a means for spotting a sample liquid and a reference liquid onto a second chemical analysis element for measuring the activity of a specific ion contained in the sample liquid,

an incubator in which the first chemical analysis element spotted with the sample liquid and/or the second chemical analysis element spotted with the sample liquid and the reference liquid is placed and which holds the first and/or second chemical analysis element at a constant temperature,

a concentration measuring means which is provided to measure the concentration of the specific component contained in the sample liquid by measuring the optical density of the color formed by the coloring reaction of the sample liquid and a reagent on the first chemical analysis element after incubation in the incubator,

an ionic activity measuring means which is provided to measure the ionic activity of the specific ion contained in the sample liquid after incubation in the incubator, ~~and~~

a temperature control means which holds the first chemical analysis element at a first predetermined temperature suitable for measuring the optical density of the color formed by the

coloring reaction and holds the second chemical analysis element at a second predetermined temperature suitable for measuring the ionic activity, and

a detector comprising a bar code reader for detecting the position of the chemical analysis element in which the chemical analysis element is conveyed by reading a bar code provided on each of the chemical analysis element.

9. (Amended) A chemical analysis system, comprising:

a spotting mechanism operable to spot a sample liquid onto a first chemical analysis element for measuring the concentration of a specific component contained in the sample liquid, and operable to spot a sample liquid and a reference liquid onto a second chemical analysis element for measuring the activity of a specific ion contained in the sample liquid;

an incubator in which the first chemical analysis element spotted with the sample liquid and/or the second chemical analysis element spotted with the sample liquid and the reference liquid is placed and which holds the first and/or second chemical analysis element at a constant temperature;

a concentration measuring device operable to measure the concentration of the specific component contained in the sample liquid by measuring the optical density of the color formed by the coloring reaction of the sample liquid and a reagent on the first chemical analysis element after incubation in the incubator;

an ionic activity measuring device operable to measure the ionic activity of the specific ion contained in the sample liquid after incubation in the incubator; ~~and~~

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a temperature control device which holds the first and/or second chemical analysis element at a predetermined temperature; and

a detector comprising a bar code reader for detecting the position of the chemical analysis element in which the chemical analysis element is conveyed by reading a bar code provided on each of the chemical analysis element.